IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 30725 of 2006()

PETITIONERS:
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1. C.EAPPEN, KALLIYIL PUTHEN VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM VILLAGE,
   KOLLAM.

2. P.M.THOMAS, NADATHIVILA PUTHEN VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM P.O.,
   KOLLAM.

3. GEEVARGHESE UMMAN,
   PUTHENVILA THEKKETHIL, CHERIKONNAM,
   THRIKKOVILVATTOM P.O.

4. KOSHY, PADIPURAKKAL THAKKEPUTHEN VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM P.O.

5. ALEYAMMA, THADATHIVILA VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM P.O.

6. G.GEORGE, VAKKURVILA VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM.

7. S.KUNJAMMA, THEKKEVILA VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM VILLAGE.

8. G.KOSHY, MANOJ BHAVAN,
   CHERIKONNAM, THRIKKOVILVATTOM VILLAGE.

9. YOHANNAN, KALLIYIL PUTHEN VEEDU,
   CHERIKONNAM, THRIKKOVILVATTOM.

   BY ADV. SRI. PRATHEESH. P

W.P.(C) 30725 OF 2006:

RESPONDENTS:
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1. STATE OF KERALA,
   REP. BY THE PRINCIPAL SECRETARY,
   FINANCE DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
   COLLECTORATE, KOLLAM.

3. THE SPECIAL TAHSILDAR,
   L.A.NO.II, KOLLAM.

   BY ADDL. ADVOCATE GENERAL
   BY GOVERNMENT PLEADER SHRI BENNY VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) No. 30725 of 2006

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1	:	TRUE COPY OF JUDGMENT OF THE PRINCIPAL SUB COURT, KOLLAM DATED 30.06.1997.
EXT.P2(a) to (l) series	:	TRUE COPIES OF NOTICES ISSUED UNDER SECTION 28(a)(2) OF L.A.ACT BY THE 3RD RESPONDENT.
EXT. P3	:	TRUE COPY OF REPRESENTATION SUBMITTED BY THE IST PETITIONER DATED 29.09.2006.

/true copy/

P.A. TO JUDGE

K.T. SANKARAN, J.

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W.P.(C) No. 30725 OF 2006

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Dated this the 18th December , 2006

J U D G M E N T

The lands belonging to the petitioners were acquired and award was passed on 20.07.1987. The petitioners did not make any application under section 18 of the Land Acquisition Act. However, at the instance of another claimant, L.A.R.No. 330 of 1989 was taken and Ext. P1 judgment was passed on 30.06. 1997 granting enhanced compensation. It is stated that the land belonging to the petitioners and the land involved in L.A.R.No. 330 of 1989 were acquired under the same notification and for the same purpose. The petitioners made applications under section 28A of the Land Acquisition Act . Exts. P2(a) to P2(l) are notices issued by the Special Tahsildar (Land Acquisition) directing the petitioners to appear on 21.06.2006 for enquiry in respect of the applications submitted by the petitioners under section 28A of the Act. The grievance of the petitioners is that though the enquiry was over on 21.06.2006, no final orders have been passed in the applications submitted by the petitioners.

2. Learned Government Pleader, on instruction, submits that the applications filed by the petitioners under section 28A of the Act would be

disposed of in accordance with the priority. It is also submitted that several similar cases are pending.

3. In the facts and circumstances of the case, there will be a direction to the third respondent to dispose of the applications submitted by the petitioners under section 28A of the Land Acquisition Act and referred to in Exts. P2 (a) to P2(l), as expeditiously as possible and at any rate, within a period of six months from today.

W.P.(C) is disposed of as above.

K.T. SANKARAN,
JUDGE.

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